

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Establish
Policies and Cost Recovery Mechanisms for
Generation Procurement and Renewable
Resource Development.

Rulemaking 01-10-024
(Filed October 25, 2001)

ADMINISTRATIVE LAW JUDGE'S RULING

This ruling addresses Pacific Gas and Electric Company's (PG&E's) submittal of proposed testimony on February 13, 2002. This proposed testimony is premature as the Commission has yet to issue the assigned Commissioner's scoping memo setting forth the issues to be addressed and adopting a procedural schedule¹.

In order to afford PG&E the opportunity to submit testimony that directly responds to all issues raised in the assigned Commissioner's scoping memo, as well as to eliminate the confusion of other parties as to whether they should respond to PG&E's proposed testimony, the February 13, 2002 electronic service should be considered, for purposes of this record, as withdrawn, without prejudice to PG&E.

¹ At the January 8, 2002 prehearing conference (PHC), the undersigned administrative law judge presented a proposed schedule for parties' comments and stated that these dates would be finalized in the scoping memo. (Transcript at 7 and 30-31.)

Therefore, **IT IS RULED** that:

1. The February 13, 2002 electronic service of proposed testimony by PG&E is premature and shall be considered as withdrawn.
2. When the assigned Commissioner's scoping memo is issued, all parties, including PG&E, will have the opportunity to respond to all issues set forth under the scope and procedural schedule adopted therein.

Dated February 15, 2002, at San Francisco, California.

/s/ CHRISTINE M. WALWYN

Christine M. Walwyn
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling on all parties of record in this proceeding or their attorneys of record.

Dated February 15, 2002, at San Francisco, California.

/s/ ERLINDA PULMANO
Erlinda Pulmano

N O T I C E

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